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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/689,352

10/20/2003

Norbert Fruehauf

2702

4202

7590 11/28/2007
STRIKER, STRIKER & STENBY
103 East Neck Road
Huntington, NY 11743

EXAMINER

KUMAR, SRILAKSHMI K

ART UNIT	PAPER NUMBER
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2629

MAIL DATE	DELIVERY MODE
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11/28/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/689,352	Applicant(s) FRUEHAUF, NORBERT	
	Examiner Srilakshmi K. Kumar	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on August 23, 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

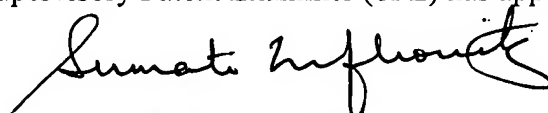
In view of the Appeal Brief filed on August 23, 2007, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:


SUMATI LEFKOWITZ
SUPERVISORY PATENT EXAMINER

The following office action is in response to the Appeal Brief filed on August 23, 2007. Claims 1-3 are pending. The finality of previous office action has been withdrawn.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-3** are rejected under 35 U.S.C. 103(a) as being unpatentable over Inukai (U.S. Patent Application No. 2002/0101395) in view of Hunter (US Patent 6,356,029).

With reference to **claim 1**, Inukai teaches a driving circuit for an image point of an image screen which has an organic light emitting diode (307) comprising; a capacitor (308); a feedback coupling (see Figure 8); a first thin film transistor (306) as a current driving transistor for the diode; a second transistor (305) which is connected by a current-conducting electrode with a gate of the first transistor (306) and by a second current conducting electrode with a data conductor (301) and by its gate electrode with a scanning signal conductor (302); a third thin film transistor (309); and a current measuring and voltage regulating circuit (312) providing a voltage signal which is dependent on a current measuring result and voltage comparison, so that the diode during driving of the gate of the third transistor due to its non-linear switching characteristic acts as a switch for a current deviation in the current measuring and voltage regulating circuit (see paragraphs 80-94).

While Inukai teaches the usage of a third thin film transistor, which taps the input of the first transistor, there fails to be any disclosure of taping a driving current being output from the first current driving transistor. Also, while Inukai teaches the usage of a current measuring and voltage regulating circuit, there fails to be any disclosure of the circuit providing an output voltage signal to the data conductor dependent on a current measuring result and voltage comparison.

Hunter in Fig. 5, teaches a third thin film transistor (45) which taps the output of the first current driving transistor (40) and where the output voltage signal is provided to the data conductor dependent on a current measuring result and voltage comparison (col. 5, lines 58-col.

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6, lines 5). It would have been obvious to one of ordinary skill at the time the invention was made to include where the third thin film transistor taps the output of the first thin film transistor and where the output voltage signal is provided to the data conductor dependent on a current measuring result and voltage comparison as taught by Hunter into the display system of Inukai in order reduce the effects of aging (col. 5, lines 58-62, and col. 1, lines 55-67).

With reference to **claim 2**, Inukai teaches that the second and third transistors (305, 309) have gate electrodes, which are both, connected with the scanning signal conductor (302, 303).

With reference to **claim 3**, Inukai teaches that all of the above mentioned elements of the driving circuit are located at a same side of the light emitting diode, so that no contact must be guided through a semiconductor material of the diode (see paragraph 88).

Response to Arguments

3. Applicant's arguments, see Appeal Brief, filed August 23, 2007, with respect to the rejection(s) of claim(s) 1-3 under 35 USC 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Inukai in view of Hunter (US Patent 6,356,029).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srilakshmi K. Kumar whose telephone number is 571 272 7769. The examiner can normally be reached on 9:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sue Lefkowitz can be reached on 571 272 3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Srilakshmi K Kumar
Examiner
Art Unit 2629

SKK
November 21, 2007


SUMATI LEFKOWITZ
SUPERVISORY PATENT EXAMINER